# ***ATTACHMENTS***

# CITY OF SHEBOYGAN

## LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES

## MARCH 10, 2021

**MEMBERS PRESENT:** Chair Alderperson Ryan Sorenson, Vice Chair Alderperson Dean Dekker, Alderperson Betty Ackley (remote), Alderperson Mary Lynne Donohue, Alderperson Barbara Felde (remote)

**STAFF/OFFICIALS PRESENT:** City Attorney Charles Adams (remote), Mayor Michael Vandersteen, Fire Chief Eric Montellano, Police Chief Christopher Domagalski (remote), Captain Kurt Zempel (remote), Lt. Michael Stelter, Licensing Clerk Julie Wieck, Legal Assistant Kathy Hoffman

**OTHERS PRESENT:** Joe Marshall, Stefano Viglietti, Whitney Viglietti, Denise Quasius, Jake East, Akshay "Alex" Patel, Kurt Jensen, Ryan Helland

### 1. OPENING OF MEETING

1.1 Roll Call

1.2 Call to Order

Chair Alderperson Ryan Sorenson called the meeting to order at 4:00 p.m.

1.3 Pledge of Allegiance

The Pledge of Allegiance was recited.

1.4 Introduction of Committee members, staff and guests

### 2. MINUTES

2.1 Approval of Minutes - February 24, 2021

> Motion by Alderperson Donohue, seconded by Alderperson Dekker, to approve the minutes of the previous meeting held February 24, 2021. Motion carried 5-0.

### 3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 R.O. No. 162-20-21 (3-1-21) by Fire Chief submitting the Annual Report for the City of Sheboygan Fire Department for the year 2020.

Chief Montellano reviewed the Fire Department's 2020 annual report.

> Motion by Alderperson Dekker, seconded by Alderperson Donohue, to accept the report and file the R.O. Motion carried 5-0.

3.2 R.O. No. 161-20-21 (3-1-21) by Chief of Police Christopher Domagalski submitting the annual report showing the activity of the Police Department for the period commencing January 1, 2020 and ending December 31, 2020.

Chief Domagalski reviewed the Police Department's 2020 annual report.

> Motion by Alderperson Donohue, seconded by Alderperson Dekker, to accept the report and file the R.O. Motion carried 5-0.

3.3 Res. No. 185-20-21 (3-1-21) A Resolution authorizing acceptance of the 2021 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant

Captain Kurt Zempel spoke regarding the bicycle and pedestrian enforcement grant. The grant will cover approximately 50 personnel hours.

Motion by Alderperson Donohue, seconded by Alderperson Dekker, to recommend the Common Council adopt Res. No. 185-20-21. Motion carried 5-0.

3.4 Presentations by potential applicants for available "Class A" alcohol beverage licenses

There are presently two "Class A" alcohol beverage licenses available.

Joe Marshall spoke regarding his plans for a convenience store with a drive-thru. Sales of liquor could also be made via the drive-thru. The location is on South Business Drive at the location of the old Embers apartments which is presently an empty lot. Mr. Marshall plans to build a cinder block convenience store on the lot. City Attorney Adams informed Mr. Marshall that because he does not yet own or lease the empty lot, he is not eligible to apply for a license at this time.

3.5 Discussion and action regarding granting opportunity to apply for available "Class A" alcohol beverage licenses

No discussion or action.

3.6 Presentations by potential applicants for available "Class B" alcohol beverage licenses

There is presently one "Class B" alcohol beverage license available. Slo Food Market, Akshay Patel, Kurt Jensen, and Marcus Theatres all appeared before the committee to present their cases regarding pre-applications for the available license.

Stefano Viglietti spoke on behalf of Slo Food Market on Pennsylvania Avenue. Construction is nearing completion and Slo Food Market would like to be able to sell beer, wine, and liquor for consumption on premise by their customers while socializing with friends.

Akshay Patel and Jake East spoke regarding their upcoming renovation project at the Econo Lodge hotel at 8th and Center. The hotel will be an upscale Wingate by Wyndham hotel and they are interested in a liquor license for the bar area only.

Kurt Jensen of 8th Street Ale Haus spoke regarding his expansion plans and a new brew pub on Commerce Avenue by the river with a banquet facility in the future. He has not yet purchased the property on Commerce Avenue.

Ryan Helland spoke on behalf of Marcus Theatres. Mr. Helland informed the committee that they have had a beer and wine license since 2014 but are still interested in upgrading to a full liquor license so that they could also serve a variety of canned cocktails.

3.7 Discussion and action regarding granting opportunity to apply for available "Class B" alcohol beverage licenses

Motion by Alderperson Ackley, seconded by Alderperson Donohue, to invite Slo Food Market to apply for the available "Class B" alcohol beverage license within ten days. Motion carried 5-0.

3.8 R.O. No. 33-20-21 (7-6-20) Submitting various license applications for the period ending December 31, 2020, April 14, 2021, and June 30, 2022. Bev. Op. Lic. [RENEW] App. No. 8232 (Stephanie M. Johnson)

City Attorney Adams informed the committee that staff is now recommending that Ms. Johnson's license be granted.

Motion by Alderperson Donohue, seconded by Alderperson Dekker, to grant license to Bev. Op. Lic. [RENEW] App. No. 8232 (Stephanie M. Johnson). Motion carried 5-0.

3.9 R.O. No. 135-20-21 (2-1-21) Submitting various license applications for the period ending December 31, 2021 and June 30, 2022. Taxicab Driver Lic. App. No. 1841 (Stanley J. Hansen)

City Attorney Charles Adams informed the committee that Stanley J. Hansen had failed to contact the City Attorney's office regarding a hearing on possible denial of his license application.

Motion by Alderperson Dekker, seconded by Alderperson Donohue, to accept all facts presented by staff as true and to deny the license application of Stanley J. Hansen based upon his ineligibility for the license as his

driver's license is currently suspended due to unpaid fines. Motion carried 5-0.

3.10 R.O. No. 163-20-21 (3-1-21) Submitting various license applications for the period ending June 30, 2021, December 31, 2021 and June 30, 2022

Motion by Alderperson Donohue, seconded by Alderperson Felde, to grant all license applications for individuals and entities listed on the above-referenced R.O. Motion carried 5-0.

**4. NEXT MEETING DATE**

4.1 Next meeting date will be March 24, 2021

The next committee meeting is scheduled to be held on March 24, 2021 at 4:00 p.m. in the Council Chambers on the third floor of City Hall, 828 Center Avenue.

**5. ADJOURN**

5.1 Motion to adjourn

Motion by Alderperson Dekker, seconded by Alderperson Ackley, to adjourn at 5:15 p.m. Motion carried 5-0.

**CITY OF SHEBOYGAN**

**REQUEST FOR LICENSING, HEARINGS & PUBLIC SAFETY CONSIDERATION**

**ITEM DESCRIPTION:** Gen. Ord. 42-20-21- An ordinance repealing and recreating various sections of Article III of Chapter 26 of the Municipal Code entitled "Electrical"

**REPORT PREPARED BY:** Chad Pelishek, Director of Planning and Development

**REPORT DATE:** March 17, 2021 **MEETING DATE:** March 24, 2021

| **FISCAL SUMMARY:** | | **STATUTORY REFERENCE:** | |
|---|---|---|---|
| Budget Line Item: | N/A | Wisconsin Statutes: | N/A |
| Budget Summary: | N/A | | |
| Budgeted Expenditure: | N/A | Municipal Code: | N/A |
| Budgeted Revenue: | N/A | | |

**BACKGROUND / ANALYSIS:**
The City of Sheboygan Building Inspection Department went through an electrical recertification process in 2019 with the State of Wisconsin Department of Safety and Professional Services. Under this approval, the Department delegates to the City the primary responsibility to perform commercial electrical permitting and inspecting for all installations under Wis. Admin Code.

**STAFF COMMENTS:**
In order to comply with state statutes, the following items needed to be updated in the City's Electrical Code as part of Chapter 26 of the Municipal Code and they include:

1. Emergency work notification requirements contradicted the State code.
2. Clarification on permit expiration requirements.
3. The City may not require a permit or inspection on any installation, repair, maintenance of electrical wiring within an existing industrial facility or existing manufacturing facility.
4. No permit shall be required for electrical work, not requiring a service inspection, where cost of materials is less than $500.
5. Modifies the code to allow licensed individuals to complete electrical work. Our code only allowed licensed electrical contractors.

**ACTION REQUESTED:**
Motion to recommend the Common Council adopt Gen. Ord. 9-20-21 repealing and recreating various sections of Article III of Chapter 26 of the Municipal Code entitled "Electrical."

**ATTACHMENTS:**
I. Gen. Ord. No. 42-20-21

X

7.2

Gen. Ord. No. 42 - 20 - 21. By Alderpersons Sorenson and Dekker.
March 15, 2021.

AN ORDINANCE repealing and recreating various sections of Article III of Chapter 26 of the Municipal Code, entitled "Electrical."

WHEREAS, the State of Wisconsin has informed the City of Sheboygan that it meets all of the requirements pursuant to the Wisconsin Administrative Code to exercise jurisdiction over the inspection of electrical wiring installations at farms, public buildings, places of employment, campgrounds, manufactured home communities, public marinas, piers, docks, wharves, and recreational vehicle parks; and

WHEREAS, as such, the State of Wisconsin Department of Safety and Professional Services ("Department") has delegated to the City the primary responsibility to perform commercial electrical permitting and inspecting for all installations under Wis. Admin. Code § SPS 316.012(1)(a) to be constructed within the limits of the City, with the exception of state-owned buildings; and

WHEREAS, the Department has identified modifications to the City's electrical code it is suggesting in light of updates to the Wisconsin Administrative Code.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-229 of the Municipal Code entitled "Emergency work" is hereby repealed and recreated to read as follows:

"Sec. 26-229. - Emergency work.

In emergency work, the owner of the premises where the installation is to occur or their agent shall submit a permit application for the installation to the electrical inspector on forms furnished by the inspector by no later than the next business day after commencement of the installation. Such work shall be performed in accordance with the provisions of this article."

Section 2. Section 26-257 of the Municipal Code is hereby repealed and recreated in subsection (b) thereof to read as follows:

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"Sec. 26-257. - Required.

. . .

(b) When any electrical work for which a permit has been issued is not started within twelve months from the date of the issuance of the permit, or if, after starting, there is a cessation of such work of more than twelve months, the permit shall lapse and be void, and no electrical work shall begin or resume until a new permit is obtained and fees paid.

. . ."

Section 3. Section 26-258 of the Municipal Code is hereby amended to add subsection (c) thereof to read as follows:

"Sec. 26-258. - Annual plant permits.

. . .

(c) Notwithstanding the provisions of this section, no inspection shall be required of any installation, repair, or maintenance of electrical wiring within an existing industrial facility or an existing manufacturing facility unless the plan for the installation, repair, or maintenance is required to be examined under Wis. Stats. § 101.12 (2) by the department or by a municipality that has its examinations accepted by the department under Wis. Stats. § 101.12 (3)(a), (am), or (b)."

Section 4. Section 26-259(a)(8) of the Municipal Code is hereby repealed.

Section 5. Section 26-259 of the Municipal Code is hereby amended in subsection (b) thereof to read as follows:

"Sec. 26-259. - Exemptions.

. . .

(b) All work performed under the exceptions provided in subsections (a)(2) through (7) of this section shall be performed in full compliance with this article."

Section 6. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

_____

_____

**I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.**

Dated_____ 20____. _____, City Clerk

Approved_____ 20____. _____, Mayor

**CITY OF SHEBOYGAN**

**REQUEST FOR LICENSING, HEARINGS & PUBLIC SAFETY CONSIDERATION**

**ITEM DESCRIPTION:** R.O. No. 168-20-21, Submitting a communication from Visit Sheboygan regarding requests to the Common Council for Sheboygan Concerts and Freedom Fest Events.

**REPORT PREPARED BY:** Chad Pelishek, Director of Planning and Development

**REPORT DATE:** March 17, 2020 **MEETING DATE:** March 24, 2021

| **FISCAL SUMMARY:** | | **STATUTORY REFERENCE:** | |
|---|---|---|---|
| Budget Line Item: | N/A | Wisconsin Statutes: | N/A |
| Budget Summary: | N/A | | |
| Budgeted Expenditure: | N/A | Municipal Code: | N/A |
| Budgeted Revenue: | N/A | | |

**BACKGROUND / ANALYSIS:**
The City of Sheboygan has an event management agreement with Visit Sheboygan to handle two events for the city, the Fountain Park Concert and Freedom Fest (4th of July) Events. In order for Visit Sheboygan to complete these events, they require support from Public Safety and Public Works. As part of the tourism budget, the City budgets our share of the room taxes to cover overtime expenses for these events.

Freedom Fest (4th of July celebration) will be held on July 3, 2021. This date from chosen in the fall of 2020 based on the results of the citizen survey to see when residents would prefer to celebrate the event given the 4th of July is a Sunday.

**STAFF COMMENTS:**
Multiple hours go into planning these events and they would not be possible without support from the Police and Fire Departments, the Department of Public Works, and the Department of City Development.

**ACTION REQUESTED:**
Motion to recommend the Common Council approve R.O. No. 168-20-21 submitting a communication from Visit Sheboygan regarding requests to the Common Council for Sheboygan Concerts and Freedom Fest Events.

**ATTACHMENTS:**
I. R.O. No. 168-20-21

II

4.4

R. O. No. 168 - 20 - 21. By CITY CLERK. March 15, 2021.

Submitting a communication from Visit Sheboygan regarding various requests to the Common Council for Sheboygan Concerts and Freedom Fest Events.

Pw & AHPS

CITY CLERK

Visit Sheboygan, Inc.
826 S 8th St. Suite 1 ●Sheboygan, WI ●53081
(920) 335-0060 visitsheboygan.com

VisitSHEBOYGAN
SHEBOYGAN AREA TOURISM

Date: March 3, 2021

To: Meredith DeBruin, City Clerk
City of Sheboygan

Fr: Amy Wilson, President/CEO
Visit Sheboygan, Inc.

Re: Request to Common Council for Sheboygan Concerts and Freedom Fest Events

**NOTE: In 2021, Freedom Fest activities will be held on Saturday, July 3, 2021, rather than July 4th, which falls on a Sunday.**

**Freedom Fest**

As the coordinator of Sheboygan's Freedom Fest to be held Saturday, July 3, 2021, including the parade, events and Deland Park, and South Pier, Visit Sheboygan is requesting use of services and equipment from DPW and police departments. Anticipated resources for the events will be very similar to those utilized in the past, following the schedule below:

Prior to July 3, assistance from DPW is requested to set up picnic tables and benches and staging at Deland Park. Following events on July 3, assistance is requested for pick-up of same.

July 2, the fireworks company will be pre-staging fireworks on the Sheboygan Yacht Club property to be launched from a barge, given the current construction of South Pier. Visit Sheboygan will coordinate location and security of items with the fireworks company, DPW, and the Sheboygan Police and Fire Departments.

July 3, assistance with parade logistics and logistics and maintenance of Deland Parks and fireworks viewing areas along the lakeshore for the day.

Prior to July 3, assistance is requested from the Sheboygan Police Department, blocking off parked traffic for the parade route, as well as assistance routing traffic from the parade on July 3, with assistance controlling traffic throughout the day's festivities. Below is the current schedule of events:

7:00 a.m. Parade Line-up (Route: N. 8th St. at Center Ave., going north to Michigan Ave., East to Broughton Dr.) Note: Parade Permit will be requested as soon as insurance certificate is received by Visit Sheboygan.

9:00 a.m. Parade Commences (Note: DPW is requested to set up tables and chairs for six judges at on N. 8th St. at Fountain Park.)

12:00 p.m. Deland Park festivities begin. (Entertainment tent with food and beverage sales. kids' area with inflatable amusements, volleyball tourney on beach.) Food concessions end not earlier than 7 p.m. but can remain open until fireworks conclude. Entertainment breaks for fireworks and ends at 11:00 p.m.

Visit Sheboygan, Inc.
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VisitSHEBOYGAN
SHEBOYGAN AREA TOURISM

12:00 p.m. South Pier festivities include a partnership with Angler's Avenue to provide entertainment throughout the day/evening. Concessions also coordinated by Angler's Avenue.

4:00 p.m. Sheboygan Theatre Company performance "A Musical Review," coordinated by the Sheboygan Theatre Company performed in Fountain Park.

9:30 p.m. Fireworks display from barge launch by yacht club.

C: Chief Domagalski, Sheboygan Police Department
Chief Montellano, Sheboygan Fire Department
Dave Biebel, Department of Public Works Director
Chad Pelishek, Planning and Development Director

March 18, 2021

Dear Licensing Committee,

I am requesting the 60-day extension I had a tenant who left the bar unoccupied for economic reasons due to the Covid crisis I do have the bar sold but it is now at a time when an extension is needed.

Thank you for your consideration in this matter

Toby Corson

Toby Corson

II

Other Matters

9.1

R. O. No. 169 - 20 - 21. By CITY CLERK. March 15, 2021.

Submitting various license applications for the period ending June 30, 2021, December 31, 2021, April 14, 2022, and June 30, 2022.

City Clerk

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BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2022)

| No. | Name | Address |
|---|---|---|
| 3524 | Canales, Aleyna | 2315 N. 15th Street Apt. 1 |
| 3521 | Conto, Steven V. | 1202 N. 29th Street |
| 4992 | Guenther, Nicole M. | 1427 Jefferson Avenue |
| 2391 | Lawrence, Michelle L. | 2825 N. Apache Road |
| 3520 | Pickard, Matthew J. | 21710 Schreiber Road, Kiel |
| 3522 | Uhyrek, Emily A. | 1021 N. 8th Street #13 |

CHANGE OF PREMISE

| No. | Name | Address |
|---|---|---|
| 1936 | Black Pig | 821 N. 8th Street - One day event 07/31/2021, in addition to current premises, alley way located between Niagara St. parking lot #14 and N. 8th St. The ally way is connected to the south side of our building. The entrance for The Berkshire event space and Black Pig both directly lead out onto this space. |
| 3217 | Parker Johns BBQ & Pizza | 705 Riverfront Drive - 09/20/2021 - 09/26/2021 event to include the parking lot area north of Parker Johns building all the way to the sidewalk south of Olivada. |

"CLASS B" LIQUOR LICENSE (June 30, 2021) (NEW)

| No. | Name | Address |
|---|---|---|
| 3478 | Bar 9<br>Bar 9 LLC | 1034 Michigan Avenue |

RHPS

SIDEWALK CAFE (April 14, 2022) (RENEW)

| No. | Name | Address |
|---|---|---|
| 3412 | Local Press Eatery | 502 S. 8th Street |
| 3435 | Nine-O-Two | 902 Indiana Avenue |
| 2604 | Z Spot Espresso & Coffee | 1024 Indiana Avenue |

QUADRICYCLE DRIVER LICENSE (December 31, 2021) (NEW)

| No. | Name | Address |
|---|---|---|
| 3527 | Goetsch, Eric A. | 1416 N. 31st Street |